GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Commercial Taxes - Allegations of canvassing for a political party in Karnataka elections, 2018, submitting false representation regarding possession of B.Com Degree and tampering the entries in the Service Register against Sri P.Ashok Babu, ACTO (Retd), O/o the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC - Initiation of disciplinary proceedings under Rule 20 of APCS (CCA) Rules, 1991 - Articles of Charges - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.227 Dated:01.04.2022
Read:-

G.O.Ms.No.170, Revenue (Vig.II) Department, dated:01.04.2022.

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ORDER:-

In pursuance of the sanction accorded by the Government under sub clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980 for instituting departmental proceedings against Sri P.Ashok Babu, ACTO (Retd), O/o the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC, vide G.O. read above, it is proposed to hold an enquiry against Sri P.Ashok Babu, ACTO (Retired), O/o. the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the Inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P.Ashok Babu, ACTO (Retired), O/o. the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC is directed to submit his written statement of defence, within seven days of the receipt of this order.

4. Sri P.Ashok Babu, ACTO (Retired), O/o. the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC is informed that an Inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Ashok Babu, ACTO (Retired), O/o. the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above further action will be processed based on the material available.

6. Attention of Sri P.Ashok Babu, ACTO (Retired), O/o. the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri P.Ashok Babu, ACTO (Retired), O/o the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this order may be acknowledged.

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT (CT)

To
Sri P.Ashok Babu, ACTO (Retd), O/o the Deputy Commissioner (CT), Vijayawada-1 Division and presently Hon'ble MLC, Andhra Pradesh (through the Chief Commissioner of State, Andhra Pradesh, Eedupugallu, Vijayawada.)
The Chief Commissioner of State, Andhra Pradesh, Eedupugallu, Vijayawada.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI P.ASHOK BABU, ACTO (RETD), O/O THE DEPUTY COMMISSIONER(CT), VIJAYAWADA-1 DIVISION AND PRESENTLY HON'BLE MLC.

Article-I:- That Sri P.Ashok Babu, ACTO (Retd.), O/o the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC, while functioning as Senior Assistant, O/o the CTO, Krishnalanka circle, during the period from 03.09.1993 to 13.07.1999 has submitted representation Dt:25-1-1996 with false information regarding possession of B.Com Degree for seeking transfer to O/o the Commissioner of Commercial Taxes, Andhra Pradesh as per Rule 3(2)/3(8) of APMS Rules, 1996.

Article-II:- That Sri P.Ashok Babu, ACTO (Retd), O/o the Deputy Commissioner (CT) Vijayawada-1 Division and presently Hon'ble MLC has canvassed for a political party in Karnataka Assemble elections scheduled for 12.05.2018, criticizing the Central Government Policies / Dignitaries while in Government Service thereby violating Rule 17 and 19 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Article-III:- That during the aforesaid period and while functioning in the aforesaid office, the said Sri P.Ashok Babu, ACTO (Retd) O/o the Deputy Commissioner (CT), Vijayawada-1 Division and presently Hon'ble MLC, while functioning as Senior Assistant, O/o the CTO, Krishnalanka circle, during the period from 03.09.1993 to 13.07.1999, has persuaded the concerned authorities to tamper the entries in connection with his education qualifications in his Service Register.

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT (CT)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST RETIRED ACTO, SRI P. ASHOK BABU.

It is brought to the notice of the undersigned by Sri. R. Veda Prasad resident of Hyderabad that Sri P. Ashok Babu, retired ACTO has cheated the Government by making false declaration that he is a B.Com Degree holder with an ulterior motive to get accommodated on transfer in the office of the CCT, AP, Hyderabad as passing Degree examination is mandatory to work in HOD.

On verification of the records, it is noticed that Sri P. Ashok Babu, while working as Senior Assistant, Krishna Lanka circle, has applied for transfer to the O/o Commissioner (CT) on 25-01-1996 to work in the CCT's office as he possessed educational qualification of B.Com degree and additional qualification of one year Diploma Course in Computer at NIIT, Vijayawada in 1991 and considering his qualifications and length of service as Senior Assistant.

After obtaining the Service Registers of suitable candidates from the DC's concerned for drafting to work in CCT's office, the SRs were verified in the O/o Commissioner (CT), Hyderabad, and it was observed as mentioned against his name that he is in possession of the following qualifications as per the note file:-

1. B.Com
2. Diploma course in systems Management course through Computer at NIIT, Vijayawada and Departmental Training, Computers by NIIT.

Whereas, while selections are under process, the individual represented to the Secretary to Commissioner (CT) on 02-09-1996 that he applied for transfer to CCT's office and but due to certain domestic problems he is not in a position to come over to Hyderabad. Therefore, he requested not to consider him for transfer to CCT's Office, Hyderabad.

Further an entry was made in his Service Register that his educational qualification is "Intermediate". On close verification of the Service Register of the individual it was noticed that an entry was made at Page No. 6, in Volume No. III and also attested by the Commercial Tax Officer, Krishna lanka circle , Vijayawada, which was totally erased and crossed with red ink that it is cancelled. This indicates that initially the individual misrepresented that he passed B.Com degree examination which was even got attested by the then CTO, Krishnalanka circle as Head of Office, but later persuaded the concerned authorities to tamper the entries in connection with his educational qualifications in his service register.

It is brought to the notice of the undersigned by Sri K.V.Lakshmipathi Raja, the then Secretary of Bharatiya Janata Party, A.P, and present official spokes person of Bharatiya Janata Party, A.P, by way of a representation dated 8-5-2018, seeking action against Sri P. Ashok Babu, for leading a group of AP NGO leaders for participating in the political campaign in Bangalore city and other parts of Karnataka, during the Karnataka State Assembly elections, which were then scheduled for 12th of May 2018, thereby violating the conduct rules and regulations governing the AP state government employees. He also quoted some print and electronic media clippings and stated that the entire organization under P.Ashok Babu has campaigned for the defeat of BJP in Karnataka. It was further complained that Sri P.Ashok Babu has gone on record abusing the Prime Minister of India Sri Narendra Modi and that he gave a call to defeat the Prime Minister's policies by labelling them as "Modism".

Therefore Sri P.Ashok Babu, ACTO (Retd) by taking part in the political campaign in Karnataka state, in May'2018 has violated the Rule.17 and Rule 19(1) and (2) of AP CCA & Conduct rules, wherein Government Employees are clearly barred from criticizing the policies/actions of the state/centre government, and participating in political activity, or assist in any other manner, any political movement or activity.

Contd.,2

Thus Sri P.Ashok Babu, retired ACTO, by his above mentioned acts, has failed to maintain absolute integrity and devotion to his duty and exhibited conduct unbecoming of a Government servant thereby violating rule(3) of the A.P. Civil Services (Conduct) Rules 1964.

Hence the charges.

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT (CT)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI P.ASHOK BABU, ACTO (RETD) O/O THE DEPUTY COMMISSIONER (CT) VIJAYAWADA-1 DIVISION AND PRESENTLY HON'BLE MLC, ANDHRA PRADESH, ARE PROPOSED TO BE SUSTAINED.

1. Copy of Representation of Sri P.Ashok Babu, dt.25.01.2006.
2. Complaint filed by Sri K.V.Lakshmipathi Raju, Bharatiya Janata Party, AP Dt.8-5-2018.
3. Copy of page No.6 of Service Register Sri P.Ashok Babu, ACTO (Retd) O/o the Deputy Commissioner (CT), Vijayawada-1 Division.

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT (CT)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI P.ASHOK BABU, ACTO (RETD), O/O THE DEPUTY COMMISSIONER (CT) VIJAYAWADA-1 DIVISION AND PRESENTLY HON'BLE MLC, ANDHRA PRADESH, ARE PROPOSED TO BE SUSTAINED.

1. Sri K.V.Lakshmipathi Raju, Official Spokes person, Bharatiya Janta Party, AP, Vijayawada, Cell-9494605599.

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT (CT)

//FORWARDED:: BY ORDER//

SECTION OFFICER